

GOVERNMENT OF ANDHRAPRADESH

ABSTRACT

Public Services- Panchayat Raj & Rural Development – Sri K.R.Prabhakara Rao, Mandal Parishad Development Officer (retired), Gummalakhmipuram Vizianagaram district – Trapped by the Anti-Corruption Bureau authorities – Acquitted in District & Sessions judge cum Special judge for Anti-Corruption Bureau cases, Visakhapatnam – Criminal appeal filed- Dismissed – Further action dropped against him – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.IV) DEPARTMENT

G.O.Rt. No.1102

Dated: 05.7.2013

Read the following:

1. From the DG, ACB, Hyderabad, Letter No. RC.124/RCT-VVZ/93-S, dated:22.3.1994.
2. G.O.Ms. No. 102, PR&RD (VS.II) Department, dated: 25.2.1995.
3. Orders of Special Judge for ACB cases, Visakapatnam in CC. No. 19/95, dt. 28.12.1998.
4. Memo. No. 884/Esst.EVIII/95-5, dated: 15.4.1999.
5. Orders of Special Judge for ACB cases, Visakapatnam in CC. 41/2000, dt. 4.2.2004.
6. Memo. No. 3566/Vig.IV/A1/2004-2, dt. 1.5.2004.
7. G.O.Rt.778 Panchayat Raj & Rural Development (Vig.IV) Department, dated: 03.05.2005
8. Orders of the Hon'ble High Court of A.P.in Criminal No. 1545/2004, dt. 22.6.2011.
9. From the DG, ACB, Hyderabad, Rc. No.124/RCT-VVZ/1993-S.12, dt. 21.12.2012.

Order:

In the reference 1st read above, the Director General, Anti-Corruption Bureau, Hyderabad has informed that Sri P.Ch. Satyanarayana, Work Inspector, o/o Mandal Parishad Development Officer, Gummalakhmipuram, (AO.1), Vizianagaram district was trapped by the Anti-Corruption Bureau officials on 12.11.1993, when he demanded and accepted a bribe amount of Rs.2000/-, on behalf of Accused Officer-2, Sri KR Prabhakar Rao, Mandal Parishad Development Officer and himself from complainant B. Dayanand for showing official favour to help him in getting sanction of arrear bills.

2. In the reference 2nd read above, Government have accorded sanction to prosecute the Accused Officers i.e (1) Sri P.Ch. Satyanarayana, Work Inspector o/o Mandal Parishad Development Officer, Gummalakshmi puram and (2) Sri K. Prabhakara Rao, Mandal Parishad Development Officer, Gummalakshmipuram, Vizianagaram Dist in a Court of Law. Accordingly, the Director General, Anti-Corruption Bureau, has filed charge sheet in the court of Spl Judge for SPE & ACB cases, Visakhapatnam on 5.6.95 in C.C.No. 19/95.

3. In the reference 3rd read above, the Spl. Judge for SPE&ACB Cases, Vishakapatnam, have delivered the judgment acquitting the Accused Officers in pursuance of the instructions of Supreme Court of India in the case of Raj Deo Sharma Vs State of Bihar as the prosecution failed to take steps to examine the prosecution witnesses within two years from the date of framing of charge.

4. In the reference 4th read above, Government have permitted the ACB to file an appeal in the A.P High Court against acquittal judgment in CC. No. 19/95, dt. 28.12.1998. The Hon'ble High Court has admitted the criminal appeal filed by Director General, Anti-Corruption Bureau, Hyderabad and allotted Criminal Appeal No. 839/99 and the High Court in the common judgment dt. 30.12.1999 remanded this case to the trial court for further trial . Accordingly, the Director General, Anti-Corruption Bureau, has filed application U/s 311 of Cr. PC , in the Spl. Court for ACB cases, Visakhapatnam for re-opening the case for trial vide CrI.M.P No. 138/2000 and court has assigned new correspondence in C.C. No. 41/2000 .

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5. In the reference 5th read above, the Special Judge for ACB cases, Visakhapatnam Range, has acquitted the accused Officers (1) P.Ch. Satyanarayana, Work Inspector O/o Mandal Parishad Development Officer, Gummalakshmi Puram and (2) Sri K.R. Prabhakara Rao, Mandal Parishad Development Officer, Gummalakhmi Puram, Vizianagaram District under Section 248(1) Cr.P.C. as they were found not guilty.

6 In the reference 6th read above, the Director General, Anti- Corruption Bureau, Hyderabad has been permitted to prefer an appeal in the High Court of AP against the trial court judgment in C. C. No. 41/2000 (Old CC.No. 19/95).

7. In the reference 7th read above, Government have issued orders abated the case against Sri P. Ch. Satyanarayana, Work Inspector, on account of death .

8. In the reference 8th read above, the Hon'ble High Court of AP has dismissed the criminal appeal petition filed by the Director General, Anti Corruption Bureau, Hyderabad.

9 In the reference 9th read above, the Director General, Anti-Corruption Bureau, Hyderabad has informed that the Hon'ble High Court of AP has dismissed the criminal appeal in Criminal Appeal No. 1545/2004 and this is not a fit case to prefer SLP against orders of the Hon'ble High court of A.P and requested to issue further orders in the matter.

10. Government after careful examination of the matter, hereby decided to drop further action against Sri K.R. Prabhakar Rao, Mandal Prarishad Development Officer(Retired),Gummalakshmipuram, Vizianagaram District., as the criminal appeal No.1545/2004 was dismissed by the Hon'ble High Court of A.P .

11. The Commissioner, Panchayat Raj & Rural Employment, Hyderabad shall take necessary action in the matter.

(BY ORDERS AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To
The Commissioner, Panchayat Raj & Rural Employment, Hyderabad
The individual through Commissioner, Panchayat Raj & Rural Employment,
Hyderabad
The Director General, Anti- Corruption Bureau, Hyderabad
The Secretary, APVC, Hyderabad.
Sf/sc.

//FORWARDED:: BY :: ORDER//

SECTION OFFICER